



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1821

Introduced 2/15/2013, by Sen. Darin M. LaHood

SYNOPSIS AS INTRODUCED:

10 ILCS 5/4-14.1	from Ch. 46, par. 4-14.1
10 ILCS 5/5-9.1	from Ch. 46, par. 5-9.1
410 ILCS 535/8	from Ch. 111 1/2, par. 73-8
410 ILCS 535/18.5	

Amends the Election Code and the Vital Records Act. Requires each local registrar to transmit an accurate copy of each record of live birth, death, and fetal death to the county clerk of his county on a weekly basis (instead of monthly). Provides that each county clerk shall cancel the registration of any registered voter who has died during the preceding week (instead of month). Provides that each county clerk shall, at least once a month, compare his or her list of registered voters with the master death file or index compiled by the United States Social Security Administration, and shall immediately cancel any deceased voter's registration.

LRB098 07048 HLH 37107 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 4-14.1 and 5-9.1 as follows:

6 (10 ILCS 5/4-14.1) (from Ch. 46, par. 4-14.1)

7 Sec. 4-14.1. Cancellation of deceased voter's registration.
8 Upon establishment of an electronic reporting system for death
9 registrations as provided in the Vital Records Act, the county
10 clerk of the county where a decedent last resided, as indicated
11 on the decedent's death certificate, may issue certifications
12 of death records from that system and shall ~~may~~ use that system
13 to cancel the registration of any person who has died during
14 the preceding week ~~month~~. Regardless of whether or not such a
15 system has been established, it is the duty of the county clerk
16 to examine, weekly, ~~monthly~~, the records deposited in his or
17 her office pursuant to the Vital Records Act that relate to
18 deaths in the county, and to cancel the registration of any
19 person who has died during the preceding week ~~month~~.

20 In addition, each county clerk shall, at least once a
21 month, compare his or her list of registered voters with the
22 master death file or index compiled by the United States Social
23 Security Administration. If that file or index indicates that a

1 voter is deceased, then the county clerk shall immediately
2 cancel that voter's registration.

3 (Source: P.A. 96-1484, eff. 1-1-11.)

4 (10 ILCS 5/5-9.1) (from Ch. 46, par. 5-9.1)

5 Sec. 5-9.1. Cancellation of deceased voter's registration.
6 Upon establishment of an electronic reporting system for death
7 registrations as provided in the Vital Records Act, the county
8 clerk of the county where a decedent last resided, as indicated
9 on the decedent's death certificate, may issue certifications
10 of death records from that system and shall ~~may~~ use that system
11 to cancel the registration of any person who has died during
12 the preceding week ~~month~~ and cause the name of each such
13 deceased person to be erased from the register of the precinct
14 in which the deceased person was registered. Regardless of
15 whether or not such a system has been established, it is the
16 duty of the county clerk to examine weekly ~~monthly~~ the records
17 deposited in his or her office pursuant to the Vital Records
18 Act that relate to deaths in the county, to cancel the
19 registration of any person who has died during the preceding
20 week ~~month~~ and cause the name of each such deceased person to
21 be erased from the register of the precinct in which the
22 deceased person was registered.

23 In addition, each county clerk shall, at least once a
24 month, compare his or her list of registered voters with the
25 master death file or index compiled by the United States Social

1 Security Administration. If that file or index indicates that a
2 voter is deceased, then the county clerk shall immediately
3 cancel that voter's registration.

4 (Source: P.A. 96-1484, eff. 1-1-11.)

5 Section 10. The Vital Records Act is amended by changing
6 Sections 8 and 18.5 as follows:

7 (410 ILCS 535/8) (from Ch. 111 1/2, par. 73-8)

8 Sec. 8. Each local registrar shall:

9 (1) Appoint one or more deputies to act for him in his
10 absence or to assist him. Such deputies shall be subject to all
11 rules and regulations governing local registrars.

12 (2) Appoint one or more subregistrars when necessary for
13 the convenience of the people. To become effective, such
14 appointments must be approved by the State Registrar of Vital
15 Records. A subregistrar shall exercise such authority as is
16 given him by the local registrar and is subject to the
17 supervision and control of the State Registrar of Vital
18 Records, and shall be liable to the same penalties as local
19 registrars, as provided in Section 27 of this Act.

20 (3) Administer and enforce the provisions of this Act and
21 the instructions, rules, and regulations issued hereunder.

22 (4) Require that certificates be completed and filed in
23 accordance with the provisions of this Act and the rules and
24 regulations issued hereunder.

1 (5) Prepare and transmit weekly ~~monthly~~ an accurate copy of
2 each record of live birth, death, and fetal death to the county
3 clerk of his county. He shall also, in the case of a death of a
4 person who was a resident of another county, prepare an
5 additional copy of the death record and transmit it to the
6 county clerk of the county in which such person was a resident.
7 In no case shall the county clerk's copy of a live birth record
8 include the section of the certificate which contains
9 information for health and statistical program use only.

10 (6) (Blank).

11 (7) Prepare, file, and retain for a period of at least 10
12 years in his own office an accurate copy of each record of live
13 birth, death, and fetal death accepted for registration. Only
14 in those instances in which the local registrar is also a full
15 time city, village, incorporated town, public health district,
16 county, or multi-county health officer recognized by the
17 Department may the health and statistical data section of the
18 live birth record be made a part of this copy.

19 (8) Transmit monthly the certificates, reports, or other
20 returns filed with him to the State Registrar of Vital Records,
21 or more frequently when directed to do so by the State
22 Registrar of Vital Records.

23 (8.5) Transmit monthly to the State central register of the
24 Illinois Department of Children and Family Services a copy of
25 all death certificates of persons under 18 years of age who
26 have died within the month.

1 (9) Maintain such records, make such reports, and perform
2 such other duties as may be required by the State Registrar of
3 Vital Records.

4 (Source: P.A. 89-641, eff. 8-9-96; 90-608, eff. 6-30-98.)

5 (410 ILCS 535/18.5)

6 Sec. 18.5. Electronic reporting system for death
7 registrations. The State Registrar shall facilitate death
8 registration by implementing an electronic reporting system.
9 The system may be used to transfer information to individuals
10 and institutions responsible for completing and filing
11 certificates and related reports for deaths that occur in the
12 State. The system shall be used to transfer information to the
13 Department of Healthcare and Family Services not less often
14 than once every 3-month period for the purpose of updating the
15 roster of Medicaid recipients. The system shall be used to
16 transfer information to county clerks not less often than once
17 a week for the purpose of updating voter registration. The
18 system shall be capable of storing and retrieving accurate and
19 timely data and statistics for those persons and agencies
20 responsible for vital records registration and administration.
21 Upon establishment of such an electronic reporting system, but
22 not later than January 1, 2011, the county clerk in the county
23 in which a death occurred or the county clerk of the county
24 where a decedent last resided, as indicated on the decedent's
25 death certificate, shall be authorized to issue certifications

1 of death records from such system, and the State Registrar
2 shall cause the electronic reporting system to provide for such
3 capability. The Department of Financial and Professional
4 Regulation shall have access to the system to enhance its
5 enforcement of the Cemetery Oversight Act.

6 (Source: P.A. 96-327, eff. 8-11-09; 96-863, eff. 3-1-10;
7 97-111, eff. 1-1-12.)